

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/916,578	08/22/97	CLARK	A 2553.004

0232/1021

EDWARD W GOLDSTEIN
TOBOR & GOLDSTEIN
1360 POST OAK BLVD
SUITE 2300
HOUSTON TX 77056

NOT ASSIGNED

1502
DATE MAILED:

10/21/97

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 150 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 150.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ 27, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

PAUL WRIGHT & JULIA H. RATCLIFFE

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

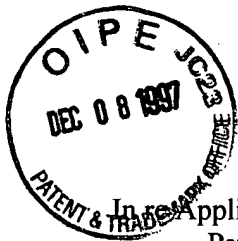
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

D. R. Bates
Customer Service Center
Initial Patent Examination Division (703) 308-1202



Sector

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for Reissue of:
Patent No. 5,443,833

Patentee: ANDREW R. CLARK
PAUL WRIGHT
JULIA H. RATCLIFFE

Issued: August 22, 1995

For: PHARMACEUTICAL
COMPOSITIONS

§
§
§
§
§ Attorney Docket No.: 2553.004
§
§
§
§
§
§

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U. S. Postal Service as U.S. First Class Mail addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.	
12/4/97 Date	 Signature

Enclosed for filing please find the following documents enclosed:

1. Notice to File Missing Parts of Application;
2. Reissue of Declaration of Julia Ratcliffe Under 37 C.F.R. 1.63 and 1.175(a);
3. Reissue of Declaration of Paul Wright Under 37 C.F.R. 1.63 and 1.175(a);
4. Check for \$130.00 for large entity fee; and
5. Return postcard.

If for any reason the check is missing or insufficient, the Commissioner is authorized to charge any additional fees which may be required (or credit any overpayment) to Deposit Account No. 20-1299; Order No. 2553.004/EWG.

If any additional informalities are identified by the Examiner, please contact the undersigned attorney at (713) 877-1515.

Respectfully submitted,

Edward W. Goldstein
Reg. No. 22945
TOBOR & GOLDSTEIN, L.L.P.
1360 Post Oak Blvd., Suite 2300
Houston, TX 77056
Telephone: 713/877-1515
Facsimile: 713/877-1145

TOBOR & GOLDSTEIN

L.L.P.

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DOUGLAS H. ELLIOTT
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DARIN H. DUPHORNE
BYRON G. BUCK
C. DALE QUISENBERRY*
COLIN E. ERRINGTON
PATRICIA A. MEIER
*MEMBER OKLAHOMA BAR

August 6, 1997

Dr. Julia Helena Ratcliffe
Flat 2, 16 Crescent Road
Alverstoke Gosport Hampshire
PO12 DH
ENGLAND

Via Federal Express

Re: U.S. Patent No. 5,443,833

Dear Dr. Ratcliffe:

Our firm represents Allergan, a company that is interested in acquiring rights to the above referenced patent from Fisons plc. However, it is Allergan's opinion that this patent should go through a reissue proceeding in the United States Patent and Trademark Office. Accordingly, we need to discuss the above referenced patent with you. Time is of the essence. Therefore, we request that you contact the undersigned immediately upon receipt of this letter.

Thank you for your cooperation in this matter.

Very truly yours,

TOBOR & GOLDSTEIN, L.L.P.



John T. Polasek

JTP/cbg

F:\CLIENT\2\2553\004\LTR\03RAT.JTP

Exhibit "A"

LEWIS & TAYLOR

Established 1865

CHARTERED PATENT ATTORNEYS · EUROPEAN PATENT ATTORNEYS
REGISTERED TRADE MARK AGENTS

LEICESTER · COVENTRY · NOTTINGHAM · CAMBRIDGE

John T Polasek
Tobor & Goldstein
1360 Post Oak Boulevard
Suite 2300
Houston
Texas 77056-3023
USA

OUR REF.

YOUR REF.

SAJ/P208US

15 August 1997

BY FAX

Dear Mr Polasek

Re: Application for Reissue of US 5,443,833

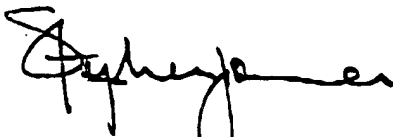
Enclosed please find the executed Declaration. The original is being returned by courier.

Incidentally, I understand that you were unable to contact Dr Ratcliffe, one of the inventors. I telephoned the Pharmaceutical Society of Great Britain and was given the following address:

Dr J H Ratcliffe
15 Ipswich Road
Woodbridge
Suffolk
IP12 4BS

Dr Ratcliffe's telephone number is ex-directory and I therefore have not been able to obtain it. I hope this information is of some assistance.

Yours sincerely



Stephen A Jones
Lewis & Taylor

Exhibit "B"

DOUGLAS H. ELLIOTT
EDWARD W. GOLDSTEIN
JOHN T. POLASEK
BEN D. TOBOR

DARIN H. DUPHORNE
BYRON G. BUCK
C. DALE OUISENBERRY*
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August 15, 1997

Dr. Julia H. Ratcliffe
15 Ipswich Road
Woodbridge
Suffolk
IP12 4BS

Via Federal Express

Re: U.S. Patent No. 5,443,833

Dear Dr. Ratcliffe:

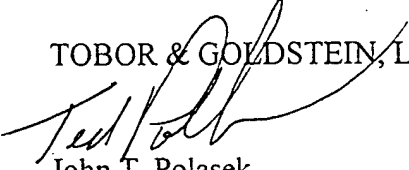
Our firm represents Allergan, a company that is interested in acquiring rights to the above referenced patent from Fisons plc. You were named as an inventor in this patent.

It is Allergan's opinion that this patent should go through a reissue proceeding in the United States Patent and Trademark Office. Accordingly, we need to discuss the above referenced patent with you. Time is of the essence. Therefore, we request that you contact the undersigned immediately upon receipt of this letter.

Thank you for your cooperation in this matter.

Very truly yours,

TOBOR & GOLDSTEIN, L.L.P.


John T. Polasek

JTP/cbg
F:\CLIENT\2\2553\004\LTR\03RAT.JTP

Exhibit "C"